

41. A system according to claim ³⁸39, further comprising designating means for designating a reference signal from among image signals stored in said memory means.

42. A system according to claim 41, wherein said ^{producing}reproducing means produces the ^{reference}condition information on the basis of the reference signal designated by said designating means.

43. A system according to claim 42, wherein said signal processing means includes holding means for holding the ^{reference}condition information, said signal processing means performing a processing on image signals other than the reference signal on the basis of the ^{reference}condition information held by said holding means.

44. A system according to claim ³⁸39, further comprising displaying means for displaying an image associated with an image signal outputted from said signal processing means.

REMARKS

A "Request And Fee For Extension Of Time" to extend the due date for responding to the Office Action by three months and a check (\$900) to cover the fee payment for such an extension are filed with this Amendment.

Claims 1, 2, 5, 6 and 8-37 have been canceled. Claims 38-44, including independent claim 38, have been added. No additional claim fee is required.

A substitute Title is above proposed in response to the requirement in the Office Action.

Independent claims 1, 7, 35 and 37 stand rejected under 35 U.S.C. § 103 as being unpatentable over Sasaki et al., U.S. Patent No. 5,034,804 in view of Kobayashi et al., U.S. Patent No. 5,274,457. Based upon the cancellation of claims 1, 35 and 37, the rejections thereto are submitted as being moot. With respect to remaining independent claim 7, the rejection is respectfully traversed and reconsideration is requested.

Independent claim 7, as amended, recites:

An image pickup apparatus, comprising:

- (a) image pickup means;
- (b) first memory means for storing an image signal outputted from said image pickup means and condition information representing a condition in which the image signal is picked up by said image pickup means;
- (c) second memory means capable of storing the image signal with the condition information, said second memory means being detachably attached to said apparatus;
- (d) third memory means capable of storing the image signal with the condition information, said third memory means being detachably attached to said apparatus;
- (e) signal processing means for performing a predetermined processing on the image signal on the basis of the condition information; and
- (f) control means for controlling the condition information so as to be copied from said second memory means to said first memory means when said second memory means is detached from said apparatus, and for controlling the condition information which

is copied from said second memory means and memorized in said first memory means so as to be copied to said third memory means when said third memory means is attached to said apparatus.

Neither the Sasaki et al. reference nor the Kobayashi et al. reference discloses or suggests the image pickup apparatus, as claimed in amended independent claim 7. Particularly, neither reference discloses that when second memory means is detached from an apparatus, control information is copied from second memory means to first memory means, and when third memory means is attached to the apparatus, the control information copied from second memory means and stored in first memory means, is copied to third memory means. The buffer memory 31₆, memory card 15 (suggested first and second memory means) and CPU 241 (suggested control means) of Sasaki et al. and the additional information recording and reproducing circuit of Kobayashi et al., fail to disclose or suggest such content, as claimed in amended independent claim 7.

Accordingly since neither reference discloses or suggests the image pickup apparatus, as claimed, there is clearly no suggestion to combine the references, as suggested. Indeed, even if the references were combineable as suggested, such alleged combination would not disclose or suggest the apparatus, as claimed. Independent claim 7 is therefore submitted as patentable.

With respect to newly added independent claim 38, the prior art fails to disclose or suggest an image processing system,

*newly added
memory card
as third
memory*

which comprises in pertinent part, memory means for storing an image signal outputted from image pickup means and being capable of being attached to and detached from the system and reproducing means for reproducing the image signal stored by storing means and producing condition information representing a condition in which the image signal is picked up by image pickup means on the basis of the image signal.

Reliance is placed on In re Fine, 5 U.S.P.Q. 2d 1596, 1600 (Fed. Cir. 1988) and Ex parte Kochan, 131 U.S.P.Q. 204 (Bd. App. 1960) for allowance of all of the dependent claims, since they differ in scope from the parent independent claims which are submitted as patentable.

Patentability of the claims is believed to have been established. Accordingly, it is submitted that this application is now in condition for allowance, except for the filing of formal drawings.

If the Examiner believes that an interview would expedite consideration of this Amendment or of the application, a request is made that the Examiner telephone applicants' counsel at (212) 682-9640.

Respectfully submitted,



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